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8 Attorney for: Secured Creditor,
9 CitiMortgage, Inc., its assignees and/or successors

10 UNITED STATES BANKRUPTCY COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 In re:) Case No. 10-47902 N
14)
15 Robert Bakovic,) Chapter 13
16 Amela Bakovic,)
17) RS No. JC-5622
18)
19 Debtors.) **DECLARATION IN SUPPORT OF**
20) **MOTION FOR RELIEF FROM**
21) **AUTOMATIC STAY**
22)
23) Date: 09/01/2010
24) Time: 10:30 AM
25) Ctrm: 220
26) Place: 1300 Clay Street
27) Oakland, CA
28)
29)

1 I, David Thornhill, declare and state as follows:

2 1. I am over the age of eighteen years and not a party to this action. The facts set forth
3 below me are known to me personally and I have first-hand knowledge of them. If called as a
4 witness, I could and would, testify competently, under oath to such facts.

5 2. I am employed by CitiMortgage, Inc., "Secured Creditor" herein, and am familiar
6 with the subject Deed of Trust and loan in favor of Secured Creditor herein, and the subject
7 Bankruptcy case

8 3. I am familiar with the manner and procedure by which the records of Secured
9 Creditor are obtained, prepared, and maintained. Those records are obtained, prepared, and
10 maintained by employees or agents at Secured Creditor in the performance of their regular
11 business duties at or near the time, act, conditions, or events recorded thereon. The records are
12 made either by persons with knowledge of the matters they record or from information obtained
13 by persons with such knowledge. It is my business practice to maintain these records in the
14 regular course of business.

15 4. Secured Creditor is the real party in interest in this pending motion as they are the
16 current beneficiary under the terms of a promissory note and/or Deed of Trust attached hereto.

17 5. The subject real property securing the Deed of Trust loan is commonly known as
18 3786 Flowering Peach Court Las Vegas, NV 89147 and legally described as set forth in **Exhibit**
19 **"1"**.

20 6. Furthermore, Secured Creditor is the holder and in actual physical possession of the
21 original Promissory Note dated 03/05/2004 in the principal amount of \$140,000.00 which is
22 secured by the Deed of Trust of the same date. **See Exhibit "2"**.

23 7. The Debtors filed this subject bankruptcy petition on 07/13/10.

24 8. Pursuant to the terms of the Note and/or Deed of Trust, a payment received is
25 applied to the account and credited to the next due payment. For example, a payment received in
26 December will be applied to the November payment if no payment had been received in
27 November.

9. With respect to Secured Creditor's Deed of Trust as of July 16, 2010, the following is now due:

Unpaid Principal Balance:	\$	109,132.05
DELINQUENCIES:		
Bankruptcy Attorney Fee:	\$	650.00
Bankruptcy Filing Fee:	\$	150.00
Total Delinquencies:	\$	800.00

10. The next scheduled monthly payment is due 08/01/2010, and continuing each month thereafter. Late charges are due on the 16th day of each month if payment is not received by the 15th of the month when due.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 8/12/10 at Irving, Texas.

/s/ David Thornhill